IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 3RD OCTOBER 2007 / 11TH ASWINA 1929

Bail Appl..No. 5955 of 2007()

CMP.2069/2007 of J.M.F.C.-III,KOZHIKODE
CRIME NO.38/07 OF CHELANNUR EXCISE RANGE.

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: PETITIONER/ACCUSED

KRISHNAN, AGED 48 YEARS, S/O.CHANDU,
PATTARUKANDI, CHELANNUR,KANNANKARA,
KOZHIKODE.

BY ADV. SRI.V.G.ARUN
SRI.T.R.HARIKUMAR

RESPONDENTS: COMPLAINANT

STATE OF KERALA,REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. NO. 5955 of 2007

Dated this the 3rd day of October, 2007

ORDER

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. He was allegedly found to be in possession of 180 litres of Wash and 5 litres of arrack on 1/8/07. He was arrested on 2/8/07. Final report has not been filed so far. The petitioner has one other case registered under the Abkari Act against him, submits the learned Public Prosecutor.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer, the period of 60 days from the date of the first remand having already elapsed and final report having not been filed so far, and I am satisfied that the petitioner can now be enlarged on bail subject to appropriate terms and conditions.

3. **In the result:**

(a) The application is allowed.

(b) The petitioner shall be released on bail on the following terms and conditions:

(i) The petitioner shall execute a bond for Rs.50,000/- with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(ii) The petitioner shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT, JUDGE)

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